

Attorneys for Plaintiffs

V.

Defendants.

COUNTY OF PROVIDENCE

2. Effective September 30, 2007, the UNITE National Retirement Fund of the Hotel Employees' and Restaurant Employees' International Union ("HEREIU"). The fund's name was changed to the UNITE HERE National Retirement Fund

3. The Amalgamated Life Insurance Company provides administrative services to the UNITE HERE Fund Administrators, Inc., the administrator of the Fund. The Fund's administrative offices are located at 730 Broadway, New York, New York 10003 and 6 Blackstone Valley Place, Suite 302, Lincoln, Rhode Island 02865.

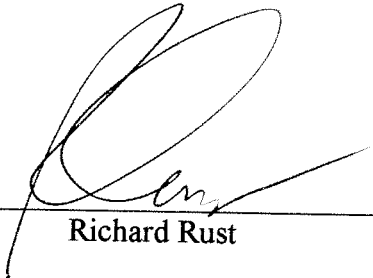
4. The Fund's legal counsel, Schulte Roth & Zabel LLP, is located at 919 Third Avenue, New York, New York 10022.

5. The Fund's Board of Trustees meets regularly in New York. Various Board of Trustee Committee meetings routinely take place in New York.

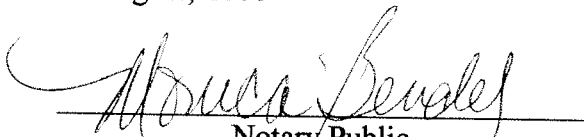
6. Based upon my review of HEREIU Pension Fund documents, Village Resorts received a letter from the HEREIU Pension Fund on February 23, 2007, notifying Village Resorts that it owed withdrawal liability in the estimated amount of \$531,206.59. A letter was sent on May 2, 2007 notifying Village Resort's counsel that Village Resorts failed to make its first monthly payment due on April 24, 2007 and advising that if the delinquency was not cured within ten days, the HEREIU Pension Fund would initiate a lawsuit in federal court for any delinquent payments plus interest. Another letter was sent on May 15, 2007, notifying Village Resort's counsel that Village Resorts failed to make its first monthly installment due on April 24, 2007 and advising that failure to pay within sixty days from the date Village Resorts received this letter would constitute a default permitting acceleration of Village Resort's withdrawal liability. A final letter was sent on September 12, 2007, notifying Village Resort's counsel that the revised withdrawal liability assessment total was \$531,782.61.

7. The HEREIU Pension Fund did not receive Village Resort's first monthly installment within sixty days of Village Resort's receipt of the May 15, 2007 letter.

8. The HEREIU Pension Fund never received a request for review from Village Resorts, nor did Village Resorts initiate an arbitration proceeding challenging the withdrawal liability determination. This information would be contained within the records under my review.


Richard Rust

Sworn to before me this 4th day
of August, 2008


Notary Public

MONICA BENDER
Notary Public, State of Rhode Island
Commission Expires February 13, 2008